

REMARKS


Reconsideration is hereby requested.

Responsive to the Official Action, Applicant submits herewith a further Declaration under 37 CFR 1.131(b) which is fully compliant with MPEP 715.07. This document confirms by documents Applicant's conception in 1998 (Dec., ¶2), diligence toward reduction-to-practice throughout that year, and actual reduction-to-practice by January, 1999 (Dec. ¶8). These facts and other evidence of diligence are embodied in a computer CD (Decs. ¶9, Exh. E of Declaration) which bears an electronic date stamp of January 3, 2000 (Dec. ¶9 and ¶10). As such, the Applicant clearly conceived and reduced-to-practice his invention, as claimed, long prior to the effective date of LaMarra, that is, January 31, 2000, as is documented by the attached Declaration and its exhibits. As such, LaMarra cannot stand as prior art under 35 USC 102(e).

In view thereof, the early allowance of the application is urged.

Respectfully submitted,
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Enclosures:

Declaration under 37 CFR 1.131(b) with Exhibits including computer disk.